

CITY COUNCIL, CITY OF LODI  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JANUARY 17, 1990  
7:30 P.M.

ROLL CALL

Present: Council Members - Hinchman, Olson, Reid,  
Pinkerton and Snider (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City  
Manager Glenn, Community Development  
Director Schroeder, Public Works Director  
Ronsko, City Attorney McNatt, and City Clerk  
Reimche

INVOCATION            The invocation was given by Pastor Bill Crabtree,  
Emanuel Lutheran Church.

PLEDGE OF ALLEGIANCE                      The Pledge of Allegiance was led by Mayor Snider.

## PRESENTATIONS

PROCLAMATIONS Mayor Snider presented a proclamation declaring "Crime  
CC-37 Stoppers Month".

CONSENT CALENDAR      In accordance with report and recommendation of the City  
Manager, Council, on motion of Council Member Olson,  
Hinchman second, approved the following items hereinafter  
set forth.

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CLAIMS CC-21(a)      Claims were approved in the amount of \$2,989,597.93.

MINUTES No Minutes were presented for approval.

PLANS AND SPECIFICATIONS  
APPROVED FOR LODI LAKE  
PARK RESTROOM IMPROVEMENTS  
(NORTH AND SOUTH), 1301 WEST  
TURNER ROAD APPROVED

CC-12.1(a) The City Council approved the plans and specifications for the Lodi Lake Park Restroom Improvements (North and South), 1301 West Turner Road and authorized advertising for bids.

The City Council was advised that this project consists of constructing a new restroom on the north point of Lodi Lake. This replaces the existing structure built in the late 1930s which could not be modified for handicap accessibility because of its size. Also included in the project is the construction of a small packaged sewage lift

station and piping to replace the malfunctioning gravity sewer which served the old north restroom. This project also consists of modifying the south restroom at the lake for handicap accessibility and replacement of the old fixtures with new vandal resistant ones. The project is jointly funded by the City and 1986 State Park Bond funds.

PLANS AND SPECIFICATIONS  
FOR BIDS FOR LODI LAKE  
PARK BEACH RESTROOM REMODEL,  
1301 WEST TURNER ROAD APPROVED

CC-12.1(a) The City Council approved the plans and specifications for the Lodi Lake Park Beach Restroom Remodel, 1301 West Turner Road and authorized advertising for bids.

This project consists of modifications to the restrooms to provide handicap accessibility and general major maintenance improvements including a new concrete tile roof.

The handicap work is being funded with Block Grant funds; the remaining work is from the General Fund.

SPECIFICATIONS FOR  
POLEMOUNTED AND  
PADMOUNTED TRANSFORMERS  
APPROVED

CC-12.1(b) The City Council approved the specifications and authorized the advertisement for bids for 69 pole-mounted, and 19 pad-mounted, transformers.

The City Council was advised that the Electric Utility Department has requested that the following transformers be purchased to support various projects and to replenish inventory:

POLE-MOUNTED

KVA - VOLTAGE		CIRCUIT-PROTECTED	CONVENTIONAL
15	120/240	3	4
25	120/240	8	3
37.5	120/240	17	7
37.5	277	-	6
50	120/240	10	-
50	277	-	6
75	120/240	2	-
75	277	-	3
TOTAL POLE-MOUNTED:		<u>40</u>	<u>29</u>

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PAD-MOUNTED

KVA - VOLTAGE	SINGLE-PHASE	THREE-PHASE
37.5 240/120	5	-
50 240/120	2	-
100 240/120	6	-
112.5 208Y/120	-	2
150 480Y/277	-	1
300 208Y/120	-	3
TOTAL PAD-MOUNTED:	<u>13</u>	<u>6</u>

Some of the projects using these transformers include the Sunwest subdivisions, the Kettleman Lane/Lower Sacramento Road development, the Industrial Substation, and budgeted distribution system improvements.

The estimated cost of this purchase is \$115,000, with funding available in the Electric Utility Department's operating fund.

The bid opening has been set for Tuesday, February 13, 1990.

AWARD OF BID FOR  
PURCHASE OF EIGHT  
1200 KVAR CAPACITOR  
BANKS

RES. NO. 90-01

CC-12(d)  
CC-300

The City Council adopted Resolution No. 90-01 awarding the bid for the purchase of eight 1200 KVAR Capacitor Banks to the low bidder, Cooper Power Systems, in the amount of \$31,373.50.

On December 20, 1989, the City Council approved specifications and authorized advertisement for bids. Bids were opened on January 8, 1990, with the following results:

Cooper Power Systems, Burlingame	\$31,373.50
Westinghouse Electric, Concord	\$32,734.26
General Electric Supply, Emeryville	\$32,895.00

The capacitor banks are planned for installation at various locations throughout the City to increase electrical system capacity and to maintain high service levels during periods of peak demand.

Delivery would be fourteen weeks after placement of the order.

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Funding for this purchase is available in Electric Utility Department's Operating Fund.

AWARD OF BID FOR  
PURCHASE OF HIGH-  
INTENSITY RECHARGEABLE  
FLASHLIGHTS FOR THE  
POLICE DEPARTMENT

RES. NO. 90-02

CC-12(d)  
CC-300

The City Council adopted Resolution No. 90-02 awarding the bid for the purchase of 65 high-intensity rechargeable Streamlight SL-20X flashlights to the low bidder, LC Action Police Supply of San Jose, California, in the amount of \$5,386.88.

On December 20, 1989, the City Council approved specifications and authorized advertisement for bids. Bids were opened on Tuesday, January 9, 1990, with the following results:

LC Action Police Supply, San Jose	\$5,386.88
L. N. Curtis & Sons, Oakland	\$5,431.77
Halprin Supply Co., Los Angeles	\$5,939.38
Butler's Uniforms, Sacramento	\$6,906.25

The Department currently issues 3-cell non-rechargeable flashlights for use by the officers. While these flashlights are police-type and moderately heavy-duty, they don't provide the high-intensity beam required in many of the current nighttime stop and search situations. The heavy-duty aluminum case and 20,000 candlepower beam of the Streamlight SL-20X flashlights provide an extra margin of safety for the officers who use them, and the recharging capability provides a savings in disposable battery costs.

Funding for this purchase is available in the Police Department's Safety Equipment account.

Delivery is expected about 8 weeks after placement of order.

PUBLIC HEARING SET TO  
CONSIDER ADOPTION OF  
UNIFORM CODES

CC-24(b)

The City Council set a public hearing for Wednesday, February 7, 1990 to consider adopting the following Uniform Codes.

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1988 Uniform Building Code  
 1988 Uniform Plumbing Code  
 1988 Uniform Mechanical Code  
 1988 Uniform Housing Code  
 1988 Uniform Code for the Abatement of Dangerous Buildings  
 1987 National Electrical Code

PUBLIC HEARING SET TO  
 AMEND THE ORDINANCE  
 SETTING AND ESTABLISHING  
 INCREASED RATES FOR SEWER  
 SERVICE AND CONNECTION FEES

CC-44                    The City Council set a public hearing for February 7, 1990  
 CC-51(a)                to amend the ordinance setting and establishing increased  
 CC-56                    rates for sewer service and connection fees.

The City Council was advised that after the new sewer ordinance was adopted, the City received a letter from a dentist who was concerned about the units of measure that determine sewage service units for a dentist's office. In evaluating the recent charges, it appears there was an error in this calculation. After reevaluating this, there will be a decrease in the fee. Prior to the public hearing, all calculations will be reevaluated to determine if other changes are necessary.

PUBLIC HEARING SET  
 REGARDING SIDEWALK  
 REPAIRS AT 315 SIERRA  
 VISTA PLACE, 1418 SOUTH  
 SCHOOL STREET AND 900 NORTH  
 MILLS AVENUE

CC-24(b)                The City Council set a public hearing for February 21, 1990  
 CC-45(e)                to hear and pass upon the Report of Cost of Repairs and any  
                              protests which may be raised on sidewalk repairs at 315  
                              Sierra Vista Place, 1418 South School Street, and 900 North  
                              Mills Avenue.

As part of the City's sidewalk upgrade program, in September, seven property owners were notified of the dangerous condition of the sidewalk fronting their property. They were given two weeks to begin repairs. On all seven of these properties, the damage to the sidewalk was caused by onsite trees. The following property owners did not make the repairs as required by the notice; therefore, the City had the work done.

<u>Property Owner</u>	<u>Address of Repairs</u>
Ray D. White	1418 South School Street
James R. Appleton	315 Sierra Vista Place
Ida Raridan	900 North Mills Avenue

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Pursuant to Streets and Highways Code Section 5616, a public hearing must be held to hear and pass upon the Report of Cost of Repairs and protests of property owners.

ORDINANCE INTRODUCED  
AUTHORIZING DISPOSITION  
OF SURPLUS CITY PERSONAL  
PROPERTY HAVING A VALUE  
OF \$2,000 OR LESS

ORDINANCE NO. 1474 INTRODUCED

CC-6  
CC-47  
CC-149

City Attorney Mc Natt advised the City Council that in recent times, the question has surfaced on a number of occasions as to appropriate procedures to be followed in disposing of personal property owned by the City which is no longer needed. Although the Municipal Code presently vests authority for the management of all City property in the City Manager, it does not contain provisions for the disposal of surplus personal property. Research also fails to turn up any State guidelines which might be useful.

Although we have regulations for the disposal of found property and recovered bicycles, it may be useful for the Council to delegate to the City Manager this authority and to establish specific guidelines.

To that end, a draft ordinance authorizing the Manager to dispose of surplus personal property having a value of \$2,000 or less was presented for Council review. The ordinance requires that the surplus property be advertised once in a newspaper or periodical and sealed bids requested. If this does not produce acceptable results, the Manager may then simply solicit offers and sell the item(s) to the first person offering a reasonable price.

If neither of these approaches produces results, the Manager would then be authorized to either sell the property at auction or consign it to a broker for sale. In addition, property having a value of less than \$100 would not be subject to the publication and sealed bid requirements.

Following the sale of any surplus personal property, the Manager would be required to notify the City Council in writing within 30 days after the sale. This ordinance would not apply to the disposal of real property or improvements.

The City Council introduced Ordinance No. 1474 - An Ordinance of the Lodi City Council Amending Chapter 12 of the Lodi Municipal Code by Adding a Section Establishing Procedures for the Disposal of Surplus Personal Property by the City Manager.

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RESOLUTION ADOPTED  
REGARDING SETTLEMENT  
AUTHORITY OF LIABILITY  
CLAIMS

RES. NO. 90-03

CC-21.1(a)  
CC-300

City Clerk Reimche reminded the City Council that at the December 20, 1989 Council Meeting, the City Council terminated its contract with ADJUSTCO for claims management service and retained the firm of Insurance Consulting Associates, Inc.

It is necessary that the City Council amend the resolution regarding settlement authority of liability claims to reflect this change as the prior resolution adopted in 1983 indicated the name of the City's previous Contract Administrator.

The City Council adopted Resolution No. 90-03 entitled, "A Resolution of the Lodi City Council Authorizing the City of Lodi Administrative Staff and the City's Contract Administrator, Monetary Authority to Settle Liability Claims to Specific Limits."

CARNEGIE FORUM USE POLICY

RESOLUTION NO. 90-04

CC-6  
CC-14(a)  
CC-300

City Manager Peterson advised the City Council that it is anticipated that from time to time there will be requests from various individuals and organizations to use spaces in the Carnegie Forum. Several such requests have already been received. To insure consistency in responses to such request, it is important that a use policy be adopted. Essentially, the recommended use policy provides that use of the Carnegie Forum will be permitted only if there is a City staff person associated with the use. Copies of this recommended policy were distributed to the City Council at Tuesday morning's "Shirtsleeve" meeting. Councilmembers and department heads have had input in the refinement of this policy and it is now ready for Council action.

CITY OF LODI

ADMINISTRATIVE POLICY MANUAL

CITY OF LODI

SUBJECT:

Use of Carnegie Forum Spaces

DATE ISSUED:

November 16, 1989

SECTION:

C

REFERENCE:

Resolution No. 90-04

SECTION 1:

Policy for Use of Carnegie Forum Spaces

- A. The following are authorized uses of the various main floor spaces in the Carnegie Forum.
1. All meetings of the City Council.
  2. All meetings of City boards and commissions when such boards and commissions are staffed by a City liaison person.
  3. Meetings called by a City Councilmember(s) to discuss City business with constituents and others.
  4. Department and division head meetings and other City staff meetings.
  5. City employee training sessions.
  6. General meetings of City employees for the purpose of disseminating job-related information.
  7. City staff professional association meetings.
  8. Lodi City Employees' Association meetings.
  9. City-sponsored community awareness programs.
- B. The basement area is not available for use other than storage.
- C. The kitchen is not to be used for full food preparation (cooking).
- D. Light food products (sandwiches, etc.) may be served only in the Conference Room.
- E. All requests for use of Carnegie Forum spaces shall be made through the Secretary to the City Manager.
- F. Exceptions to this policy may be made only on the authority of the City Council.
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The City Council adopted Resolution No. 90-04, "Resolution of the Lodi City Council Adopting a Use Policy for the Carnegie Forum" as heretofore set forth.

SALARY ADJUSTMENTS FOR  
REPRESENTATIVES OF THE  
ELECTRIC UTILITY UNIT  
APPROVED

RES. NO. 90-05

CC-34  
CC-300

The City Council was apprised that a multi-year agreement with the Electric Utility Employee Bargaining Unit calls for adjustments to their salary schedule effective the pay period encompassing January 1, 1990, based on increases paid by other major electric utilities. Results of the survey were presented in an exhibit presented for Council's review.

The City Council adopted Resolution No. 90-05 - "Resolution of the Lodi City Council Approving Salary Adjustments for Representatives of the Electric Utility Unit," effective the pay period encompassing January 1, 1990.

COMPLIANCE WITH NOTICE  
OF PUBLIC NUISANCE ORDER  
TO ABATE AND ORDER TO  
VACATE BY TRAVELERS HOTEL,  
112 N. SCHOOL STREET, LODI

CC-24(c)

The City Council was reminded that at its regular meeting of December 6, 1989, they granted a 45 day delay in order for Mr. Surenda Patel to meet the requirements of a Notice of Public Nuisance Order to Abate and Order to Vacate - Travelers Hotel, 112 N. School Street.

The Travelers Hotel was reinspected by Fire Marshal Steve Raddigan on January 4, 1990. All items listed for correction have been completed to the satisfaction of the Fire Department and the Fire and Building Codes.

The City Council declared that the Travelers Hotel is in compliance with all items listed for correction in the Notice of Public Nuisance, Notice to Abate and Order to Vacate issued on September 7, 1989.

TRANSFER OF CITY  
CAB LICENSE

RESOLUTION NO. 90-06

CC-6  
CC-50(b)  
CC-132

The City Council was advised that Section 5.24.280 of the Lodi Municipal Code requires Council approval of a transfer of the operator's permit for the City Cab Company.

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CC-300

Presented for Council's perusal was a copy of an installment Contract of Sale of Real Property and Business executed by Mrs. Margrave and Mr. Neel in which Mr. Neel is purchasing the business known as City Cab Company.

Mr. Neel has been actively involved in the management of the City Cab Company for over a year.

The City Council adopted Resolution No. 90-06 - A Resolution of the Lodi City Council Authorizing the Transfer of the Operating Permit for City Cab Company of Lodi for Operation of a Taxi Service Within the City of Lodi.

FUNDS APPROVED FOR  
CHALLENGE TO PROPERTY  
TAX ALLOCATION METHOD

CC-6  
CC-28

City Attorney McNatt advised the City Council that last month, a request was received from the California Contract Cities Association (CCCA) for assistance with legal fees in a challenge to SB154 and AB8 (generally codified in Revenue and Taxation Code §§95 - 100). The basis of the legal action is that these two pieces of legislation, passed to implement Proposition 13, violate the "tax situs" provision of the California Constitution.

If the CCCA's position is correct, the County would be required to calculate the apportionment of property taxes on a different basis. This could increase Lodi's share by an estimated \$163,879.00 per year, under the CCCA's projections. However, I am not certain of the reliability of that estimate.

CCCA has calculated a prorated schedule or proposed contribution for cities, with Lodi's suggested assessment being \$250.00. It is my understanding that we would not be named as a litigant in the actual lawsuit, which has already been filed. The City's posture would be more in the nature of amicus curiae.

It should be remembered that the suit directly involves only the cities of CCCA and the Counties of San Bernardino, Los Angeles, and Riverside. Even if the action is successful, it could still require further effort to implement it locally.

It is my belief that the potential benefits justify the \$250.00 in legal fees sought by the CCCA.

The City Council approved allocating \$250.00 as requested by the California Contract Cities Association, for legal fees in a challenge to the statutory apportionment method for property taxes.

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"NO PARKING" ON INDUSTRIAL  
WAY, GUILD AVENUE, AND VINE  
STREET EAST OF CLUFF  
AVENUE APPROVED

RESOLUTION NO. 90-07

CC-48(e)  
CC-300

The City Council was advised that currently, Industrial Way, Guild Avenue, and Vine Street east of Cluff Avenue are only constructed to half of their ultimate widths. To provide smooth traffic flow between the segments of full width and half width, some centerline striping will be installed. To accomplish this transition, it will be necessary to install 40 feet of "no parking" signing on the north side of Vine Street west of Cluff Avenue. A centerline will also be installed on Industrial Way between Cluff Avenue and Guild Avenue. Industrial Way is of sufficient width to allow parking on the south side; however, the undeveloped north side will require 1,350 feet of "no parking" signing. Also, Guild Avenue between Vine Street and Industrial Way and Vine Street between Cluff Avenue and Guild Avenue will be signed "no parking" due to their narrow width. The "no parking" signs will be installed as the area develops and traffic is generated.

The City Council adopted Resolution No. 90-07 - A Resolution of the Lodi City Council Approving the Installation of "No Parking" on Industrial Way, Guild Avenue and Vine Street.

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COMMENTS BY CITY  
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

STOCKTON CITY COUNCIL  
APPLAUDED FOR ITS  
EFFORT TO MITIGATE  
OVERCROWDING IN  
SCHOOLS

Mayor Pro Tempore Hinchman applauded the Stockton City Council for its recent action attempting to ease overcrowding in schools.

REMINDER REGARDING NEXT  
JOINT MEETING OF CITY  
COUNCIL AND PLANNING COMMISSION  
REGARDING GENERAL PLAN REVIEW

Mayor Snider reminded the community that the next joint meeting of the City Council and the Planning Commission regarding the General Plan Review will be held in the

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Carnegie Forum at 7:30 p.m., Wednesday, January 24, 1990 and will be focused on the Land Use and Growth Management Element.

COMMENTS BY THE  
PUBLIC ON NON  
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

COMPLAINT REGISTERED  
BY FORMER CITY EMPLOYEE

CC-16 Former City of Lodi Fireman, Ken Potteroff, addressed the  
CC-34 City Council complaining that he has not been able to get assistance from the City for a hearing problem which developed during his employment with the City. The matter was referred to staff.

CITIZEN URGES COUNCIL  
TO ACT TO MITIGATE  
OVERCROWDING OF SCHOOLS

CC-7(e) Kathleen Tachella, 510 Vista Rio Court, Woodbridge,  
CC-43 addressed the City Council urging that the adoption of the City General Plan restrict the issuance of residential building permits until there are sufficient schools to provide quality education.

PUBLIC HEARINGS There were no public hearings scheduled for this meeting.

PLANNING COMMISSION City Manager Peterson presented the following Planning  
REPORT Commission Report of the Planning Commission Meeting of January 8, 1990:

ITEMS OF INTEREST

CC-35 The Planning Commission -

1. Conditionally approved the request of Glen I. Baumbach, c/o Baumbach and Piazza, Consulting Engineers on behalf of Lodi Development Inc. for a Lot Line Adjustment (i.e. Tentative Parcel Map 89 R 022) to join two lots at 2474 and 2490 Maggio Circle in an area zoned M-2, Heavy Industrial.
2. Conditionally approved the request of Glen I. Baumbach, c/o Baumbach and Piazza, Consulting Engineers on behalf of Lou Wallman for a Lot Line Adjustment (i.e. Tentative Parcel Map 89 R 024) between 935 Interlaken Drive and 2407 Grenoble Court in an area zoned P-D(25), Planned Development District No. 25.
3. Received an announcement of the annual Planning Commissioners' Institute sponsored by the League of

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California Cities scheduled for San Diego, March 21, 22 and 23.

COMMUNICATIONS  
(CITY CLERK)

AIR QUALITY IMPACT  
MITIGATION

CC-7(m)  
CC-24(b)

City Clerk Reimche presented the following letter which had been received from the Local Agency Formation Commission of San Joaquin County:

The air quality of San Joaquin County and our multi-county air-shed continues to worsen. Since air quality is a regional problem, all jurisdictions must respond in concert to avoid significant degradation.

Our Commission has become increasingly concerned about our approving annexations for new development when the accompanying environmental review states that significant air quality impacts would result and little or nothing will be done to avoid it. Although the problem has been most prominently highlighted by large-scale projects, the commission is equally concerned about the cumulative effect of many small annexations.

As an important first step, the City of Stockton completed several large-scale annexations with the condition that the developers participate in the City's Air Quality Impact Mitigation Program. That program will soon be fully defined.

Commissioner George Barber recently explained that the County Board of Supervisors, through the Air Pollution Control District, will soon hold a public hearing on the adoption of air quality mitigation requirements.

Our Commission, on November 20, 1989, directed this letter to each City urging county-wide support and implementation or meaningful air quality mitigation.

Each City's cooperation is essential for a county-wide program, and we hope that our concern will spread to the full air-shed region.

REGULAR CALENDAR

REQUEST TO REMOVE FEMALE  
GINKO TREE, 325 WEST  
PINE STREET

CC-6

Following introduction of the matter by City Manager

Continued January 17, 1990

CC-49

Peterson, the City Council was reminded that at the City Council meeting of December 6, 1989, Jean Beckman, under "Comments from the Public on Non-Agenda Items", requested the City Council to consider the removal of the fruit-bearing Gingko tree fronting the Woman's Club. The matter was referred to staff for discussion at a future Council meeting.

There are presently two Gingko trees fronting the Woman's Club and three fronting the Masonic Temple. Of these five trees, only one is fruit-bearing and it is located in front of the Woman's Club.

Toward the end of the last calendar year, the Woman's Club contacted the Street Superintendent, Glen Baltzer, requesting the City to remove the fruit-bearing Gingko tree fronting their facility on Pine Street. Mr. Baltzer shared with them that under the existing Tree Policy adopted by the City Council, the tree could be removed because of the nuisance that the dropping fruit made; however, the cost of the removal was the responsibility of the owner. The City would replant a tree at no cost to the owner. The cost for the City to remove the tree will be approximately \$250.00.

Public Works Director Ronsko then received a letter from the Woman's Club making the same request, that the City remove the tree at no cost to the Woman's Club.

Mr. Ronsko responded with a letter dated November 21, 1989, again indicating the City's Tree Policy. With respect to this specific situation, the policy was very clear and he did not feel he had the authority to remove the tree at City expense. He suggested that if they wanted to take this matter further, they should make a request directly to the City Council.

The dropping Gingko fruit is a nuisance and a possible hazard to pedestrians. Therefore, the subject tree can be removed under Item II-B-1 of the adopted Tree Policy. It appears the Council has the following four alternatives:

1. Deny the request.
2. Share the cost of tree removal.
3. Approve the request and waive the policy because the Woman's Club is a nonprofit organization.
4. Approve the request by changing the Tree Policy.

Staff does not feel that the policy should be changed. If the Council does want to approve the request, it was recommended that they be given a waiver as a nonprofit organization.

Mayor Snider indicated that he had a fifth alternative and that was that he had a check from the Tokay Rotary Club for the Woman's Club in the amount of \$250.00 for the removal of the subject tree.

Mayor Snider presented Mrs. Norma Kulim, who was in the audience representing the Woman's Club with the \$250.00 check.

On motion of Mayor Snider, Olson second, the City Council denied the request of the Woman's Club to waive the City's existing tree removal policy.

PARKING IN CITY  
PARKING LOT AT THE  
CORNER OF EAST  
LOCKEFORD STREET AND  
NORTH WASHINGTON STREET,  
IN PROXIMITY TO THE  
AMERICAN LEGION BUILDING

CC-6  
CC-16  
CC-45(i)  
CC-150

City Manager Peterson reminded the City Council that at the regular City Council meeting of Wednesday, January 3, 1990, the Council received a petition asking for the prohibition of parking for extended periods in the City parking lot at East Lockeford and North Washington streets. The petition was submitted by a representative of the American Legion Post. As the Council is aware, this is a conflict of long standing. Mr. Stan Harkness and the Fifty Plus Club both run "gamblers' special" busses to South Lake Tahoe and/or Reno. The departure point is the parking lot across the street from the American Legion building.

On certain days of the month the parking of cars by people riding the busses conflicts with bingo games held at the American Legion building. The Nor Cal Tremors girls' softball organization conducts bingo games there every Tuesday night. The American Legion itself conducts bingo games there every Wednesday night. As it is understood by staff, the Fifty Plus Club runs its bus the first Wednesday of each month. Thus there is a parking conflict with the bingo players one Wednesday each month. Mr. Harkness operates his busses one or two Tuesdays a month. Thus there is a parking conflict with the bingo players one or two Tuesdays each month. Mr. Harkness also runs a Sunday bus once a month during 8-9 months of the year, but this usually presents no conflict. For whatever reasons, this parking lot is apparently viewed as the most desirable location in the City from where to launch the "gamblers'

specials." Staff is aware of other pick-up points in Lodi by other companies operating "gamblers' specials" and these locations have presented no conflicts to our knowledge.

The City parking lot currently has no time restrictions. The issue is that there are two organizations (American Legion and Fifty Plus Club) using a City parking lot to aid in the conduct of their specific programs (bingo and "gamblers' specials") and one entrepreneur (Mr. Harkness) who uses a City parking lot to aid in the conduct of his business. Of course, the City provides some free parking in the downtown area that aids businesses there in the conduct of their commercial operations. However, the City realizes sales tax revenue as a result of this relationship. As in the past when the City Council has been confronted with this issue, there is no easy answer. A possible solution to the resolution of these conflicts is to establish a parking time limit at that lot of, for example, six hours. This would effectively prohibit the use of this lot for parking for the bus trips. The downside of such an action is that it requires enforcement by an already thinly-spread parking enforcement patrol, and it is a rather severe solution to a conflict that exists infrequently each month.

Addressing the City Council regarding the matter were the following people:

- a) Mr. Stan Harkness, 700 Cardinal Street, Lodi
- b) Mr. Roger Nicholson, representing the Building Committee of the American Legion
- c) Mr. Edward Jackson, representing the American Legion
- d) Ms. Zana De Benedetti, Business Manager of the Nor Cal Tremors

A very lengthy discussion followed with questions being directed to those who had addressed the City Council regarding the matter.

On motion of Council Member Reid, Hinchman second, the City Council referred the matter to staff for a recommendation regarding a time limitation for parking in the east parking lot. The motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton, Reid, and Snider

Noes: Council Members - Hinchman

Absent: Council Members - None

Further, it was agreed that Mayor Pro Tempore Hinchman and City Manager Peterson will meet with Mr. Stan Harkness regarding the use of the west parking lot.

REQUEST FOR RESIDENTIAL  
PERMIT PARKING IN THE  
VICINITY OF LODI HIGH SCHOOL

CC-48(1)

The City Council was advised that currently, parking in the residential area east of Lodi High School is prohibited between the hours of 9:00 a.m. to 10:00 a.m. and 12:30 p.m. to 1:30 p.m. on school days only. This limit applies to Walnut Street between Ham Lane and Pacific Avenue, Oak Street between Ham Lane and Pacific Avenue, Wellington Way, and Pacific Avenue from Walnut Street to 70 feet south of Elm Street. This restriction is currently enforced by the Police Department.

Recently, a resident of Wellington Way inquired about parking his vehicle on the street in front of his residence at any time. Public Works staff informed him of the residential permit parking program and provided a petition to circulate in the study area shown in an exhibit presented for Council review. Our guideline is that at least 60% of the residents must be in favor prior to bringing the petition to the Council. Since approximately 90% of the residents are in favor of the permit program, we are bringing the request to the Council.

Two parking alternatives for the residential neighborhood are described below.

Alternative A - Residential permits provided with no modification to existing parking limits ("No Parking" 9 a.m. to 10 a.m. and 12:30 p.m. to 1:30 p.m., school days only). The existing signs will need to be modified.

The advantage to this alternative is that non-resident parking is allowed, except as restricted. The disadvantage is that the area could be enforced only during the posted restricted hours.

Alternative B - Residential permits provided with modified limits to "no parking" any time or during certain time frame coinciding with school hours, school days only.

The advantage to this alternative is that the area can be enforced at any time. The disadvantage is that non-resident parking is prohibited for a longer period, except on non-school days.

It will cost approximately \$1,000 to install new signs for residential permit use. Staff suggests the three-year \$3.00 fee be evaluated.

The permit program would affect the frontage of 59 residential lots. All of the lots are single-family except for 6 duplex lots and 4 apartment lots located on or adjacent to Walnut Street.

The Finance Department now enforces the Pacific Coast Producers residential permit parking. The Finance Department indicates they do not have staff to enforce the Lodi High School area without reducing enforcement in other areas. The two Parking Enforcement Assistants enforce the downtown area, Pacific Coast Producers, and surrounding off-street handicapped parking stalls. It appears that the Lodi High School area could continue to be enforced by the Police Department with very little additional time.

City Council can either do nothing or set a public hearing to review and discuss the residential permit parking alternatives.

Mr. Carl Lyons, 15 N. Wellington Way, Lodi addressed the City Council regarding the concerns of those who had signed the petition.

A lengthy discussion followed with questions regarding the matter being referred to staff and to Mr. Lyons.

On motion of Council Member Pinkerton, Hinchman second, the City Council set the matter for public hearing on March 7, 1990 and directed the City Clerk to notify the affected citizens of the public hearing.

SEQUENCE OF AGENDA  
ITEMS MODIFIED

On motion of Council Member Pinkerton, Olson second, the City Council unanimously approved consideration of Agenda item K-5 - Contract Award for Construction of Industrial Substation Project, 5200 East Sargent Road, prior to Agenda item K-4 - Consider adoption of City of Lodi Annexation Policy

AWARD CONTRACT FOR  
CONSTRUCTION OF INDUSTRIAL  
SUBSTATION PROJECT, 5200 EAST  
SARGENT ROAD

RESOLUTION NO. 90-10

CC-12(c)  
CC-300

The City Council was advised that the bids were received for the contract for the construction of the Industrial

Substation Project, 5200 East Sargent Road on November 21, 1989. At that time, the City received three bids ranging from approximately \$1,790,500 to \$1,867,900 as set forth below. The Engineer's estimate was \$1,950,000:

BID RESULTS

INDUSTRIAL SUBSTATION CONSTRUCTION CONTRACT

EUD 89-18

<u>Bidder</u>	<u>Bid Price*</u>
Kinetic Engineering & Const., Inc. 3733 Taylor Road Loomis, CA 95650 -in joint venture with- Chapek Construction 6201C 27th Street Sacramento, CA 95822	\$1,790,514.00
Anderson & Wood Construction Co. 4209 Everett Street P.O. Box 1269 Caldwell, ID 83606-1269	\$1,816,729.19
AMELCO 1777 Neptune Drive San Leandro, CA 94080	\$1,867,868.00

\* Includes tax, but not City-furnished material in an amount of \$1,125,281 which amount is included with bid price to establish the contractor bonding amounts.

Due to the unanticipated difficulty in procuring the Industrial Substation site, the City of Lodi does not anticipate that construction can commence prior to early June 1990.

Kinetic/Chapek have executed an agreement to hold their bid price to accommodate a delayed start date.

On motion of Mayor Pro Tempore Hinchman, Pinkerton second, the City Council adopted Resolution No. 90-10 awarding the bid for construction of the Industrial Substation to Kinetic Engineering and Construction, Inc., Loomis, California, in joint venture with Chapek Construction, Sacramento, California as low bidder in the amount of \$1,790,514.

Continued January 17, 1990

RECESS

Mayor Snider declared a five-minute recess and the City Council reconvened at approximately 9:00 p.m.

ADOPTION OF CITY OF  
LODI ANNEXATION POLICY

RESOLUTION NO. 90-09

CC-6 Mayor Snider abstained from discussion and voting on this  
CC-8(a) agenda item, because of a possible conflict of interest.  
CC-300 Mayor Snider left his seat at the Council table.

Following introduction of the matter by City Manager Peterson, Community Development Director Schroeder presented the following draft Annexation Policy for City Council review and discussion:

ANNEXATION POLICY

Background

At a recent Shirtsleeve Session the City Council indicated that it wanted to establish a policy for reviewing the various annexation requests which have been presented since the Appeals Court ruled that Measure "A" interfered with the State's annexation laws.

Before developing a policy, it seemed reasonable to review the kinds of projects which would be presented and how they differed from one another.

Types of Annexation

1. Public - City Owned
  - a. Contiguous annexation would include the two parcels added to C-Basin (Pixley Park) south of Vine Street, east of Beckman Road, and the proposed site for the Industrial Substation south of East Lodi Avenue.
  - b. Non-contiguous annexations would include City-owned property which did not abut a municipal boundary such as White Slough Water Pollution Control Plant.
2. All commercial or industrial projects.
3. Senior citizens housing projects.

4. Mixed Use Project - Senior housing projects with commercial or professional
5. Project which exists in the County (Single-family dwelling, Woodbridge School, winery).
6. Residential - Subject to the 2% growth limit.
7. Mixed Use Project - Residential with commercial or professional with residential subject to 2% growth limit.
8. Mixed Use Project - Residential with senior housing with residential subject to 2% growth limit.

Items 1 through 5 above are not subject to the proposed 2% growth rate and could be annexed at the City Council's discretion. Of the eighteen proposed annexations presented to the City Council, nine are commercial, industrial or public. One, the Pixley Park C-Basin Addition, was initiated by the City Council at its December 6, 1989 meeting. Two, Kettleman Properties and Sunwest Plaza, have environmental certification, General Plan conformity and rezoning. One is the site for the Industrial Substation and the final four are proposed industrial sites and require environmental documentation and rezoning.

Of the remaining proposed additions, five (Johnson Ranch II, Century Meadows, Batch Property, Towne Ranch and Bridgetowne Estates) were defeated at Measure "A" elections and all have the necessary environmental approval and rezoning. However, they are all residential projects and would be subject to the proposed 2% Growth Management Review.

The last four proposed annexations, Sasaki, Geweke, Katzakian and Thomas-Colvin, are mixed use with some possible residential or residential. These four would be required to go through the entire development process as well as the 2% rating.

#### Local Agency Formation Commission Policy

Since the City has had only four contiguous and four non-contiguous annexations since Measure "A" was enacted in 1981, it appeared prudent for the Community Development Director to review LAFCO policies and practices with that agency's Executive Director.

At present the Commission has no limitation on the years of growth a City may annex; however, ten years growth or more must be justified and may not be approved. With a 2%

annual residential growth rate, it will be easy to determine the number of years of residential growth that are in the City. Commercial and industrial growth rates will have to be compared with historic data.

Even though the White Slough Water Pollution Control Plant is impacted, LAFCO will permit annexations if the City can demonstrate that sewer service will be available in a reasonable time period. An agreement between the developer and the City indicating when the project would require and receive sewer service would be more than adequate for LAFCO purposes.

San Joaquin LAFCO still requires that the City be the Lead Agency for CEQA (California Environmental Quality Act) purposes and that all annexation proposals be rezoned before being submitted to the Commission.

#### Proposed Annexation Policy

Since the eight types of annexations fall into four categories (i.e., publicly owned, outside the 2% growth rate, within the 2% growth rate or existing developed property), it appears that different procedures are needed for each category.

#### Public Owned Properties

As in the past the City Council should continue to annex all publicly owned property, either contiguous or non-contiguous, upon acquisition by the City. By doing this the City avoids paying property taxes on the land. It also assures that the property will be totally under the City's jurisdiction.

#### Projects Outside the 2% Growth Limit

The City Council should consider adopting a policy for projects consisting of commercial, industrial, senior citizens housing or a mix of commercial and senior housing.

Besides conforming to the development process requirements, environmental documentation and rezoning, the developers/owners of projects in this category should enter into an agreement with the City which indicates (1) that sewer service will not be requested until the City indicates it is available; and (2) that all impact fees will be paid before building occupancy.

#### Projects Inside the 2% Growth Limit

The City Council should consider adopting a policy for residential projects which will have housing allocations

based on the 2% growth rate as described in the Growth Management Program.

In addition to the normal development, CEQA and annexation processing, the developers/owners of projects in this category should enter into an agreement which states (1) that the project is within the Growth Management Program and annexation does not give the project a vesting to develop or acquire Building Permits; (2) that sewer service will not be requested until the City indicates it is available; and (3) that all impaction fees will be paid before building occupancy.

#### Projects Which Exist in the County

The City Council should consider adopting a policy for parcels already developed in the County.

Owners of projects in this group should enter into an agreement which states (1) that sewer service will not be requested until the City indicates it is available; (2) that all applicable impaction fees will be paid; and (3) that a standard deferral agreement will be signed indicating that the property will be brought to City Standards (curb, gutter, sidewalk, street lights, etc.) when the City requires the improvements.

Community Development Director Schroeder also presented the following letter which had been received from Public Works Director Ronsko:

We have reviewed the draft policy dated December 13, 1989. It is a good review of the subject; however, we have a few comments we feel should be considered by the Council.

1. The categories described all assume the annexations are for essentially undeveloped land for which the land use will change. However, a significant portion of the unincorporated land within the General Plan boundaries is already developed. We may see separate requests for these parcels, or they may be joined with other larger parcels to prevent creation of islands or pockets. There are a number of implications we may want to consider, mainly in the area of public improvements and fees. Peach and Willow Streets are good examples of what could happen. What do we require if all of Woodbridge wants to annex?
2. It was mentioned that 5 residential projects subject to the 2% growth limit have all the necessary environmental approval. We

question the validity of the EIRs given their age and changed conditions in Lodi. We also assume they will be changed to meet the new General Plan designations (such as only 65% single-family) and other requirements necessary to pass through an allocation system.

3. All impact fees will not necessarily be tied to building occupancy. Since we will have an adopted capital improvement program, we can collect fees at final map filing. One advantage in collecting various fees at different stages of development is that the cost is spread to different segments of the development industry. Also, earlier collection will help discourage premature land development.

City Clerk Reimche presented the following letter which had been received from Ronald B. Thomas:

I regret that I cannot attend tonight's meeting; however, I would like you to consider the following:

1. I have read the staff recommendations, met with the City Manager and Community Development Director and feel your consideration and adoption of a policy is very appropriate at this time in order to begin the work that we all know will eventually need to be done.
2. Establish specific procedures and where they differentiate from Pre Measure A procedures.
3. Outline estimated costs involved to petition.
4. Establish an estimated time frame for processing an annexation request.
5. Establish an estimated date to begin the rating process and the relevant cut off date for projects to be included in the process.

Also, where in the development process they need to be to qualify for said rating consideration.

Addressing the City Council regarding the matter was Janet Pruss, 2421 Diablo Drive, Lodi, California.

A lengthy discussion followed with questions being directed to staff. A number of changes to the draft policy were suggested by the City Council.

Continued January 17, 1990

On motion of Council Member Pinkerton, Olson second, the City Council adopted Resolution No. 90-09 - A Resolution of the Lodi City Council Adopting the City of Lodi Annexation Policy. (The adopted policy included the numerous changes suggested by the City Council. The adopted policy is attached as exhibit A to Resolution No. 90-09.)

The motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton, and Reid

Noes: Council Members - Hinchman

Absent: Council Members - None

Abstain: Council Members - Snider

MOMENT OF SILENCE  
FOR FORMER MAYOR  
GENE WALTON

Mayor Snider announced that word had just been received of the sudden passing of former Mayor Gene Walton. A moment of silence was held in his honor and memory.

AWARD - CONTRACT FOR  
WHITE SLOUGH WATER  
POLLUTION CONTROL  
FACILITY EXPANSION  
PROJECT, 12751 NORTH  
THORNTON ROAD

RESOLUTION NO. 90-11

CC-12(c)  
CC-300

The City Council was advised that bids for the Contract for White Slough Water Pollution Control Facility Expansion Project, 12751 North Thornton Road were first opened on November 1, 1989. At that time, the City received six bids ranging from approximately \$12M to \$16M. The engineer's estimate was \$8.8M and since Lodi did not have sufficient funds to award the project as bid, the City Council rejected all bids on November 21, 1989. The City Council also approved a revised set of plans and specifications which removed certain items from the bid document and also provided for deductive alternate bids.

Bids were again opened on December 15, 1989 and again six bids were received. These bids include a base bid plus six deductive alternates. The base bids ranged from \$9.9M to \$11.0M. Alder Engineering was low by over \$500,000 based on the deductive alternates chosen. The submittal by the low bidder was challenged by the second low bidder, F&H Construction. On January 3, 1990, the City Council again rejected all bids and the project was again readvertised.

On January 16, 1990, bids were opened and only two bids were received. Alder Engineering was again low bidder and F&H Construction submitted the other bid.

A recap of the base bids with deductive alternates A and D is shown below:

	<u>Alder Engineering</u>	<u>F&amp;H Construction</u>
Base Bid	\$9,962,114	\$10,347,000
Deductive Alternate A	[242,360]	[212,000]
Deductive Alternate D	[38,536]	[48,000]
	\$9,681,218	\$10,087,000
Difference	\$405,782	

The Finance Department has determined that we will have approximately \$11,250,000 available. The expenditures to complete the project are estimated as follows:

Construction Contract	\$ 9,681,218
Contract Administration, Inspection and O&M Manual	581,000
Discharge Permit and Dilution Study	23,000
Contingencies	<u>300,000</u>
Estimated Cost Total	\$10,585,218
Estimated Funds Available	\$11,250,000

City Attorney McNatt addressed the City Council regarding the matter and presented the following protest letter that had been received from F & H Construction:

This protest is being filed by F & H Construction Company, the second lowest responsible bidder in the above designated bid project.

F & H Construction protests the award of the bid to Alder Construction Company in that said bid is an irregular bid and non-responsive, which irregularity is of such a substantial nature that it affords the Alder Company an advantage over the other bidders and affects one or more of the main and substantial elements that were contemplated and considered in reaching a price figure and that further the results of that irregular bid by Alder Company would

affect the amount of the bid to the detriment of the City of Lodi and the other bidders.

The substance of the objection relates to the use of Karris as the Instrumentation Supplier under the designation of Equipment Suppliers.

Prior to the bid submittals, F & H Construction Company contacted the Engineers, Black and Veatch concerning the acceptability and qualification of Instrumentation firms and manufacturers. F & H Construction was informed on two occasions by the Engineers that Karris was not qualified and so would not be acceptable.

F & H Construction also requested the Engineers to clarify the bidding language. Thereafter, on January 5, 1990, by Addendum 5, page 2, a clarification was issued by the Engineers as follows:

"Page 13400-2, Paragraph 2 add the following: The System Suppliers shall be Control Manufacturing Company, Inc. or Trans-dyn Controls only."

Thereafter, on January 10, 1990, an Addendum 6 was issued providing as follows:

1. Section 13400 - INSTRUMENTATION, Page 13400-1 Paragraph 2 in the fourth line of the first paragraph following the words "systems for" add the word "municipal."
2. Page 13400-2, Paragraph 2 the sentence beginning with "the system supplier" added under Addendum number 5 shall be deleted and replaced with the following:

"Approve system suppliers are Control Manufacturing Company, Inc., or Trans-dyn Control. Other proposed suppliers will be strictly evaluated according to the above requirements."

It was F & H Construction's understanding from this language and the understanding of their subcontractor who bid this portion of the work, namely, Central Sierra Electric that Karris was not a qualified supplier. Karris's bid for the Instrumentation was considerably less than the Instrumentation Supplier that F & H Construction used through Central Sierra Electric which was Control Manufacturing Company. The apparent difference would have been in excess of \$50,000.00.

Both F & H Construction and Central Sierra Electric Company had reviewed the qualifications of Karris and had concluded that they were not qualified for this particular project, in that Karris had not done any similar projects and had not completed any waste treatment plants.

It is the position of F & H Construction Company and Central Sierra Electric that the bid of Alder Company was an irregular and nonresponsive bid as set forth above and that said Company should not be awarded the bid in this project as set forth above and summed up herewith:

1. The bid of Alder Company included a non-qualified bidder i.e., a material supplier, Karris.
2. F & H Construction's bid would have been lower had it been able to use Karris through it's subcontractor, Central Sierra Electric whose bid would have correspondingly been lower.
3. In the alternative, if the City does not accept Karris, but contrary to the terms of said bid and the law accepts Alder Company's bid it should be provided that no additional funds will be allowed Alder Company in the event they choose a supplier other than Karris.

The City Attorney also advised that the following protest letter had been received from Central Sierra Electric Company, Inc.:

Central Sierra Electric hereby protests the award of the bid of the above designated project to Alder Construction Company.

This protest is based on the grounds that said bid was an irregular bid and was a nonresponsive bid as such.

Central Sierra Electric bid this job as an Electrical Contractor and a supplier, among other items of the Equipment and particularly the instrumentation and used as it's supplier of that particular item, Control Manufacturing Company, Inc.

At the time of the bid, I was aware of Addendum 5 and also Addendum 6. I had examined the qualifications of Karris and had concluded from my examination of the submittal of the qualifications that Karris was not a qualified or acceptable Equipment Supplier under the terms of the Specifications.

Most notable was that there was a requirement for the performance and completion of other similar work and Karris had no similar projects and has not, to date, completed any Wastewater Treatment Plants of this nature.

With the opinion that Karris was not a qualified or acceptable bidder, I chose to use Control Manufacturing Company, Inc. whose bid was at least \$50,000.00 in excess of a bid that I could have prepared had I used Karris.

If the bid of Alder Construction Company is accepted by the City of Lodi, I feel that I would be detrimentally affected by any such action as it definitely affected the amount of my bid price, which would have been considerably less had I been able to use Karris.

Speaking on behalf of the F & H Construction protest was Clark Fregien, Secretary-Treasurer of the Company.

Also speaking on behalf of the F & H Construction protest was Jeff Hoffman, 691 Wentworth Street, Manteca.

A lengthy discussion followed with questions being directed to Staff, the City Attorney and to those who had given testimony regarding the matter.

On motion of Mayor Pro Tempore Hinchman, Reid second, the City Council adopted Resolution No. 90-11 awarding the bid for the contract for White Slough Water Pollution Control Facility Expansion Project, 12751 North Thornton Road (Base Bid with Deductive Alternates A & D) to Alder Engineering and Construction Company in the amount of \$9,681,218.00. The motion carried by the following vote:

Ayes: Council Members - Hinchman, Olson, Reid and Snider

Noes: Council Members - Pinkerton

Absent: Council Members - None

AWARD - PURCHASE OF  
ASPHALT MATERIALS FOR  
THIRD AND FOURTH QUARTERS  
OF FISCAL YEAR 1989-90

RESOLUTION NO. 90-08

CC-12(a)  
CC-300

The City Council was advised that the following bids had been received for Asphalt Materials for the third and fourth quarters of fiscal year 1989-90:

Supplier	Item No. 1 Dense Grade Asphalt Concrete, Type B, 3/8". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt			Item No. 2 Dense Grade Asphalt Concrete, Type B, 1/2". Asphalt binder shall be Viscosity Grade AR-4000 Paving Asphalt		
	A FOB Plant	B Stockpile City Limits	C Hopper of Paver	A FOB Plant	B Stockpile City Limits	C Hopper of Paver
	500 Tons	100 Tons	400 Tons	50 Tons	50 Tons	50 Tons
Claude C. Wood Lodi, CA						
Cost per ton including tax	\$24.54	\$29.11	\$30.18	\$23.48	\$28.05	\$29.11
Plus: City cost for mileage	5.30			5.30		
TOTAL	\$29.84	\$29.11	\$30.18	\$28.78	\$28.05	\$29.11
Granit Construction Stockton, CA						
Cost per ton including tax	\$25.50	\$30.65	\$31.68	\$24.97	\$30.12	\$31.15
Plus: City cost for mileage	6.65			6.65		
TOTAL	\$32.15	\$30.65	\$31.68	\$31.62	\$30.12	\$31.15
Teichert Aggregates Sacramento, CA						
Cost per ton including tax	\$25.62	NO BID	NO BID	\$25.09	NO BID	NO BID
Plus: City cost for mileage	11.09			11.09		
TOTAL	\$36.71			\$36.18		

The specifications for asphalt materials were approved by the City Council at its meeting January 3, 1990.

On motion of Mayor Pro Tempore Hinchman, Olson, second, the City Council adopted Resolution No. 90-08 awarding the bid for the purchase of asphalt materials for the third and fourth quarters of fiscal year 1989-90 items 1A, 1B, 1C, 2A, 2B and 2C to Claude C. Wood Company.

SALARY ADJUSTMENTS FOR  
DATA PROCESSING PERSONNEL

RES. NO. 90-12

CC-34  
CC-300

City Manager Peterson advised the City Council that the City has known for sometime that the salary level of our Data Processing Supervisor is inadequate. The top step at the present time for this position is \$2936.72 per month. This inequity became obvious when we saw an advertisement for a Programmer Analyst, a position subordinate to the Supervisor position, for the City of Folsom with a salary of \$3,106.00 per month.

A salary survey of Mid-Management classifications will be done this spring. Because we are so obviously out of line on the compensation for this class, it is recommended that this adjustment be made at this time. The Personnel Department is in the process of developing a class specification for a new position (Data Processing Programmer II) approved in this year's budget. When that is completed staff will return to the City Council for action on recommendations for compensation adjustments for the balance of the positions in that division. After the Supervisor compensation has been established, we will be in a position to recommend appropriate supervisory differentials. Were the City to loose the services of the incumbent, staff would recommend this new compensation level to recruit a replacement. That is what the market place dictates. It is only fair that this level now be established for the individual in that position. The position is critical to the City's day-to-day operations.

We have surveyed the management survey cities and find there are seven cities which have comparable positions. We looked at percent differentials between the position and the City Manager and found that the pattern of differential fell around 60%.

In our survey we found that all titles of the comparable positions contained the word manager, Data Processing Manager, Management Information Services Manager, Data Systems Manager.

The City Manager, therefore, recommended the position of Data Processing Supervisor be retitled Data Processing Manager and the salary range for this position be established as shown, effective January 22, 1990:

=====

DATA PROCESSING MANAGER

=====

Steps:	<u>M O N T H L Y     W A G E</u>				
	A	B	C	D	E
	\$3257.90	\$3420.80	\$3591.89	\$3771.43	\$3960.00

On motion of Council Member Reid, Hinchman second, the City Council adopted Resolution No. 90-12 - A Resolution of the Lodi City Council Establishing the Monthly Salary for the Data Processing Manager (as heretofore set forth) to become effective the payroll period beginning January 22, 1990.

REQUEST FOR SUPPORT OF  
POLICE DEPARTMENT  
PARTICIPATION IN  
COMPREHENSIVE ALCOHOL  
AND DRUG PREVENTION  
EDUCATION GRANT APPROVED

CC-63                    Captain John Martin of the Lodi Police Department advised  
CC-105                   the City Council that the Police Department is in the third  
CC-175                   year of a three year Drug Suppression Program. This has  
                         been a joint effort with the Lodi Unified School District  
                         and they have paid 50% of the City share of cost. Both the  
                         Police Department and the School District feel the project  
                         has been successful in reaching younger children before  
                         they have become involved in drug use. Of course the full  
                         impact of the program will not be felt for a number of  
                         years as those receiving the training still have a number  
                         of school years facing them.

Some of the other benefits of the program have been:

Positive Officer, Student contacts.  
Better working relations between the Police Department and  
the Schools.

School officials feel the grant has been successful to the  
extent they are applying for, and will probably receive,  
funding to hire and completely pay for an additional  
officer to work in the Drug Suppression Program, giving us  
two full time officers and the ability to reach all  
students in the selected age group within the Unified  
School District. In the event the funding should become  
unavailable in the future the Council could decide to  
abolish the position. The allocated officer could be  
absorbed until a vacancy occurs.

Continued January 17, 1990

Mr. Dave Mende of the Lodi Unified School District presented the following information regarding the District's anti-substance education grant application:

The application has been reviewed by the Lodi Substance Abuse Council and the District Health Task Force.

It is my understanding that the grant allotments will come via San Joaquin County Office of Education, as follows:

- Phase I: \$59,000 from CADPE (pending notification in April 1990)
- Phase II: \$138,000 for education in the harmful effects of tobacco use (grant application due January 30, 1990)
- Phase III: Funding for AIDS education (future)
- Phase IV: Funding for genetics education (future)
- Phase V: Funding for Drug Free School and Community Act (new allotment--future). We will be receiving \$88,000 from the 1986 Drug Free Schools and Communities grant in February.

Our initial policy is to obtain funds to provide:

1. an officer in every intermediate classroom,
2. training for 180 intermediate teachers this spring in substance abuse and curriculum, and
3. training for 20 people in family education, who will then offer district-wide parent education classes.

Following discussion, the City Council, on motion of Council Member Olson, Hinchman second, indicated its support of the Police Department's participation in the Lodi Unified School District Comprehensive Alcohol and Drug Prevention Education Grant Application and approved the hiring of an additional Police Officer for the program, the cost of which is to be paid for by the grant to the Lodi Unified School District.

SUBMISSION OF APPLICATION  
UNDER CALIFORNIA BEVERAGE  
CONTAINER RECYCLING AND  
LITTER REDUCTION ACT

RESOLUTION NO. 90-13

CC-6  
CC-175

The City Council was apprised that on September 29, 1989, Governor Dukmejian signed into effect landmark

CC-300

legislation AB939, which calls for the establishment of an aggressive program to reduce the amounts of waste generated in California. Specifically, this legislation mandates a 25% reduction in the amount of solid waste produced by 1995 and a 50% reduction by the year 2000.

Fortunately, California Waste Removal Systems and the City of Lodi are in an excellent position to meet these requirements. We presently have in place many of the components necessary to meet these mandates; such as a commercial and residential curbside recycling program, a state of the art composting program, a waste wood recovery program, and an excellent waste reduction education program in the local schools.

In an effort to enhance and expand existing programs, the State of California, through the Department of Conservation, is making \$2 million worth of funds available to the cities and counties who have established programs such as our community. This poses an excellent opportunity for our community to significantly expand our residential curbside recycling program. It is my recommendation to the Council to make an application for a portion of these funds. Presented for Council's review was a draft of an application for those funds predicated upon our existing programs. Our application requires Council action in the form of a resolution. The deadline for submission of this application is January 31, 1990. Consequently, time is of the essence.

This program gives benefits to our community in terms of environmental, economic and social issues.

Addressing the City Council regarding the matter and responding to questions was David Vaccarezza, President, California Waste Removal Systems, Inc.

On motion of Council Member Pinkerton, Reid second, the City Council adopted Resolution No. 90-13 - A Resolution of the Lodi City Council Approving the Submission of an Application under the California Beverage Container Recycling and Litter Reduction Act.

#### ORDINANCES

ORDINANCE AMENDING  
CONTRACT BETWEEN THE  
CITY OF LODI AND THE  
CALIFORNIA PUBLIC  
EMPLOYEES' RETIREMENT  
SYSTEM

Continued January 17, 1990

ORDINANCE NO. 1473 ADOPTED

CC-6  
CC-34  
CC-149

Ordinance No. 1473 entitled, "An Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System" having been introduced at a regular meeting of the Lodi City Council held January 3, 1990 was brought up for passage on motion of Council Member Olson, Hinchman second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by unanimous vote of the City Council.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Snider adjourned the meeting at approximately 11:15 p.m.

ATTEST:

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk